

Online Public Comment Report
City Council
April 1, 2025

REGULAR AGENDA

23Recommendation to request City Manager to evaluate options for establishing labor standards requirements regarding staffing and operational standards for self-checkout operations (SCOs) in grocery retail stores and retail drug establishments in Long Beach to proactively address retail theft and advance the preservation of public safety and welfare, with the intention of developing an ordinance that would enact new self-checkout labor standards requirements for staffing and operations at subject grocery retail stores and retail drug establishments in Long Beach.

Name
Celeste Wilson

Comment - 04/01/2025 03:08 PM : (Against)
April 1, 2025

Honorable Mayor & Long Beach City Council
411 W. Ocean Blvd
Long Beach, CA 90802

Subject: City Council Agenda Item 23. 25-54822: staffing and operational standards for self-checkout operations (SCOs) in grocery retail stores and retail drug establishments

Dear Honorable Mayor and City Council Members:
On behalf of the Long Beach Area Chamber of Commerce (the Chamber), representing nearly 900 businesses, I am writing to express our strong opposition to, and considerable concern with, Item 23. 25-54822 brought forth by Councilmembers Mary Zendejas, Tunua Thrash-Ntuk, and Roberto Uranga. This item proposes an ordinance mandating a 1:2 staffing ratio for self-checkout (SCO) stations in food and drug retail stores, limiting the number of items a customer may purchase at self-checkout to 15, imposing significant financial penalties on businesses, and creating a private right of action (effectively encouraging frivolous lawsuits).
While the Chamber supports efforts to enhance public safety, this proposal is fundamentally flawed. It will discourage business investment, increase costs for both businesses and consumers, and fail to address the root causes of retail theft.

A Harmful Message to Incoming Businesses
The intent of this item is to improve public safety by increasing staffing at SCO stations. Citing multiple studies and the March 12 Retail Theft Roundtable hosted by Mayor Richardson, the staff report paints a grim picture of Long Beach, describing rampant crime, dangerous customer-employee interactions, and insufficient police resources. If we enact policies that suggest Long Beach businesses must monitor every customer interaction to prevent theft, we reinforce a damaging reputation of our city as unsafe. Long Beach already struggles with economic competitiveness, with approximately 350 vacant storefronts - including 1.25 million square feet in downtown alone. The message we send to potential businesses must be one of opportunity, not deterrence. This item would do the latter.

More Staff Will Not Prevent Crime
In 2023, the California legislature passed **Senate Bill 553** (Cortese) *Occupational safety: workplace violence: restraining orders and workplace violence prevention plan* which effectively outlawed retail, grocery, and pharmaceutical staff from stopping ^[1] thieves from stealing from their stores. While we commend the council’s intent to deter theft in retail environments and make Long Beach a safer space for workers and customers alike, increasing staff at SCO stations will not prevent or stop retail theft—it

will merely put more employees in harm's way without addressing the core issue.

Let Proposition 36 Work First

In November 2024, 61.8% of Long Beach residents joined voters statewide in overwhelmingly passing Proposition 36, a measure the Long Beach Area Chamber of Commerce and the local business community strongly supported through advocacy

efforts, strengthening penalties for retail theft.^[2] From 2023 to 2024, the Long Beach Police Department reported a 16% increase in petty theft crimes valued under \$950—exactly the concern Proposition 36 aims to address. The item before the Council does not complement Proposition 36; rather, it imposes additional burdens on businesses before the new law has even had a chance to take effect. Nearly all sources cited in the staff report support the rationale for Prop 36, not a hyper-local city ordinance.

Staffing and Crime Are Separate Issues

Keeping the people of Long Beach employed and keeping the people of Long Beach safe are paramount to our city's continued success and vibrancy. However, this proposal is a thinly veiled attempt to increase staffing under the guise of crime prevention. Mandating additional employees at SCO stations will only increase operational costs, forcing businesses to reconsider their presence in Long Beach. Instead of penalizing businesses for adopting technological efficiencies, the City should explore alternative solutions to enhance SCO security, such as:

- **Grants for SCO technology upgrades** through the VIP program or another potential pilot program
- **Fixed SCO systems** with weight sensors to reduce errors and theft
- **Improved monitoring technology** to enhance security without increasing labor costs

Instead of penalizing businesses for keeping up with advancing technology and rising operational costs, the city should consider other avenues to make businesses that deploy SCOs safer. Fixed SCO systems that use weight controls, which have been regarded as both the most deployed and the most effective approach thus far, would be a solution that tackles all issues.^[3]

A Competitive Disadvantage for Long Beach

This proposed ordinance will make Long Beach less competitive compared to surrounding cities. The proposed compliance thresholds are arbitrary, applying only to large retailers while exempting smaller locations of the same brands. For instance, the Rite Aid on Cherry Ave. and the CVS on Long Beach Blvd. would be exempt due to their footprint—highlighting the inconsistency of the proposal.

Businesses facing higher costs and an unfriendly regulatory environment will simply relocate to neighboring cities that do not impose these unnecessary burdens – or worse, close completely.

Disproportionate Harm To Low Income Families

The Chamber recognizes that some grocers have left Long Beach due to increasing retail theft and financial losses. However, penalizing businesses with rising operational costs will only accelerate this trend, disproportionately harming low- to middle-income families who rely on nearby grocery stores.

We have seen the consequences of similar policies before. When Long Beach implemented hazard pay for grocery workers during the COVID-19 pandemic, Kroger closed 25% of its stores in the city, leaving low-income communities in food deserts. As a Kroger spokesperson noted:

“As a result of the city of Long Beach’s decision to pass an ordinance mandating extra pay for grocery workers, we have made the difficult decision to permanently close long-struggling store locations in Long Beach. This misguided action by the Long Beach City Council oversteps the traditional bargaining process and applies to some, but not all, grocery workers in the city [...] The irreparable harm that will come to employees and local citizens as a direct result of the city of Long Beach’s attempt to pick winners and losers, is deeply unfortunate. We are truly saddened that our associates and customers will ultimately be the real victims of the city council’s actions.”^[4]
The same pattern will be repeated if businesses are again forced to absorb additional costs.

Neglecting Small Businesses

While this item targets large retailers, it does nothing to address theft in small businesses, which are often hit the hardest. Nearly **41% of small business retailers** (1-20 employees) report increased theft, and **64% state that these losses result in higher consumer prices.**^[5] Yet, this item does nothing to help them - it simply places a regulatory burden on larger businesses while small businesses continue to struggle.

A Statewide Issue, Not a Local One

The proposed item is written nearly identical to **Senate Bill 1446** (Smallwood-Cuevas) *Grocery retail store and retail drug establishment employees: self-service checkout and consequential workplace technology* which failed on the Senate floor. Since its failure, proponents have shifted to a local ordinance strategy to impose similar requirements. However, issues like self-checkout regulations should be addressed at the state level to ensure consistency and a fair market playing field for all cities, if it must be addressed at all.

We Can’t Keep Putting Businesses In Legal Harm

The enforcement provisions of this item are deeply concerning. It allows any private individual to bring a **civil lawsuit** against a business, with potential penalties of:

- **\$100 per employee per violation, per day** (up to \$1,000 per employee)
- **Attorney fees for prevailing plaintiffs**
- **Up to \$2,500 per hour in civil penalties**

This essentially invites **predatory lawsuits** against businesses already struggling to operate in Long Beach. The inevitable legal costs will be passed on to consumers, further increasing the city’s cost of living.

The Long Beach Area Chamber of Commerce urges the City Council to reject this agenda item and request that industry voices be involved in any future conversations regarding this topic. While we all want to improve public safety and deter theft, forcing businesses to increase staffing while ignoring technological solutions and economic realities is not the answer. We encourage the Council to consider more effective, balanced approaches that support both public safety and a thriving business environment.

Sincerely,



Jeremy Harris
President & CEO

[1] Mayer, Chloe. (2023) *Bill to Stop Employees Confronting Shoplifters Passed by California Senate.*, Newsweek

[2] Los Angeles County Registrar-Recorder/County Clerk, November 5, 2024 General Election Results, *Votes Cast by Community*

[3] Beck, Adrian. (n.d.). *Global Study on Self-Checkout in Retail use, Impact, and Control.*, ECR Retail Loss.

[4] Redman, Russell. (2021) *Kroger to shut two Long Beach stores due to local hazard pay mandate.* Supermarket News

[5] Metz, Jason. (2024) *The Impact of Retail Theft on Small Businesses and States.* Forbes

PUBLIC COMMENT: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity is given to those members of the public who have not addressed the City Council on non-agenda items. Each speaker is limited to three minutes unless extended by the City Council.

Name	Comment - 03/27/2025 11:42 AM : (No Vote)
Mayra Aguilar	<p>To whom may concern,</p> <p>We want to address the council regarding the transients on Long Beach Blvd and 10th Street. Our office is at 1022 Long Beach Blvd., Long Beach, CA 90813. We are here on behalf of Kids 1st Clinic, the Long Beach Community pediatric clinic. We have daily issues with transients hanging out in our property entrance and actively using drugs. Our clinic entrance is along the alley behind the property, the only entrance for the children and families to enter the premises. We need help finding a solution to keep that area clear. We often call the police for assistance clearing the area, but it is only a temporary help, as they always come back. We appreciate the time to address our concerns to the city council and hope to work together to find a solution.</p> <p>Thank you,</p> <p>Mayra Aguilar Clinic Operations Manager</p>